

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

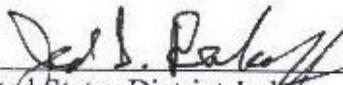
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GEORGE KOFINAS & MARIA KOFINAS, :
: .
Plaintiffs, : .
: .
-v- : .
: .
FIFTY-FIVE CORP., et al., : .
: .
Defendants. : .
: .
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JED S. RAKOFF, U.S.D.J.

Now before the Court are defendants' motions pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), respectively, to dismiss for lack of subject matter, ECF No. 67, and for failure to state a claim, ECF No. 66. Upon consideration, the Court denies defendants' motion to dismiss for lack of subject matter jurisdiction, grants defendants' motion to dismiss for failure to state a claim with respect to Count Four (tortious interference with contract), Count Six (aiding and abetting tortious interference with contract), and all claims for punitive damages, and otherwise denies defendants' motion to dismiss for failure to state a claim. An opinion explaining the reasons for this ruling will follow in due course.

SO ORDERED.

Dated: New York, NY
January 29, 2021



United States District Judge